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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/777,917	02/11/2004	Robert William Dobbs	200209626-1	5500

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HEWLETT PACKARD COMPANY
P O BOX 272400, 3404 E. HARMONY ROAD
INTELLECTUAL PROPERTY ADMINISTRATION
FORT COLLINS, CO 80527-2400

EXAMINER

BUTLER, DENNIS

ART UNIT PAPER NUMBER

2115

DATE MAILED: 08/15/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/777,917

Applicant(s)

DOBBS ET AL.

Examiner

Dennis M. Butler

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 11 February 2004.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-22 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-22 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 11 February 2004 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date <u>8/15/05</u> | 6) <input type="checkbox"/> Other: _____ |

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1. This action is in response to the application filed on February 11, 2004. Claims 1-22 are pending.

2. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

3. Claim 8 is rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Regarding claim 8, the phrase "the AC sources" lacks proper antecedent basis.

4. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

5. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

6. This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation

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under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g) prior art under 35 U.S.C. 103(a).

7. Claims 1, 7 and 22 are rejected under 35 U.S.C. 102(b) as being anticipated by de Vries, U. S. Patent 6,433,444.

Per claims 1 and 22:

A) de Vries teaches the following claimed items:

1. a power distribution system with figure 2 and at column 3, lines 12-15;
2. a first group of sources (power modules 203-205), a second group of sources (power modules 206-207 and a third alternate power module) and a bank of loads (loads 230) with the power modules and loads shown in figure 2, with the power module of figure 3, at column 3, lines 12-33 and 60-67, at column 4, lines 22-31 and at column 6, lines 4-11;
3. an interconnect arrangement including a plurality of interconnects connecting each load to the sources such that if any one or all sources of one of the groups of sources fails, all of the loads remain fully powered with transfer modules 208-210 and power distribution modules 212-214 of figure 2, with figure 4, at column 2, lines 62-66, at column 3, lines 12-33 and 60-67, at column 4, lines 57-65, at column 5, lines 7-30 and at column 5, line 36 – column 6, line 11.

Per claim 7:

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de Vries describes that the first group of sources are AC sources with figure 3 at column 3, lines 15-18 and at column 4, lines 43-47.

8. Claims 2-6 and 8-21 are rejected under 35 U.S.C. 103(a) as being unpatentable over de Vries, U. S. Patent 6,433,444 in view of Bobry, U. S. Patent 5,994,793.

Per claims 9 and 11:

A) de Vries teaches the following claimed items:

1. a power distribution system with figure 2 and at column 3, lines 12-15;
2. a group of AC sources (power modules 203-205), a second group of sources (power modules 206-207 and a third alternate power module) and a bank of loads (loads 230) with the power modules and loads shown in figure 2, with the power module of figure 3, at column 3, lines 12-33 and 60-67, at column 4, lines 22-31 and at column 6, lines 4-11;
3. an interconnect arrangement including a plurality of interconnects connecting each load to the sources such that if any one or all sources of one of the groups of sources fails, all of the loads remain fully powered with transfer modules 208-210 and power distribution modules 212-214 of figure 2, with figure 4, at column 2, lines 62-66, at column 3, lines 12-33 and 60-67, at column 4, lines 57-65, at column 5, lines 7-30 and at column 5, line 36 – column 6, line 11.

B) The claims differ from de Vries in that de Vries fails to explicitly teach that the second group of sources are a group of DC sources as claimed.

C) However, de Vries describes providing a second group of sources (alternate power modules) that include a UPS that may supply backup power

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using batteries with figure 3 and at column 5, lines 19-22. In addition, Bobry teaches that it is known to provide a power distribution system that includes a second group of sources that are a group of DC sources at column 1, lines 46-65 and at column 3, lines 43-51. It would have been obvious to one having ordinary skill in the art at the time the invention was made to provide a power distribution system that includes a second group of sources that are a group of DC sources, as taught by Bobry, in order to provide an alternate power source capable of maintaining full uninterrupted power to critical loads when one or more of the primary power sources fail. One of ordinary skill in the art would have been motivated to combine de Vries and Bobry because of de Vries suggestion of providing redundancy in all systems of the power distribution system at column 2, lines 62-66 and because of Bobry's suggestion that it is known to use batteries or DC sources as a secondary power source at column 1, lines 47-58. It would have been obvious for one of ordinary skill in the art to combine de Vries and Bobry because they are both directed to the problem of providing uninterruptible power to critical loads in a power distribution system.

Per claims 2-6, 8, 10 and 12-21:

Claims 2-6, 8, 10 and 12-21 recite various configurations of loads and corresponding power source configurations. de Vries describes that the system power requirements are determined by the power requirements and the amount of redundancy desired at the site at column 3, lines 39-51. Therefore, the particular load and power source configurations are design choices and it would

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have been obvious to one having ordinary skill in the art at the time the invention was made to provide various power source configurations that match the power requirements of the loads being powered and the desired redundancy of the site.

9. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Dennis M. Butler whose telephone number is 571-272-3663. The fax number for this unit is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Dennis M. Butler
Dennis M. Butler
Primary Examiner
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